

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,  
Plaintiff,

CR. 97-00098 (HL)

v.

ALEXANDER RODRIGUEZ MIRANDA,  
AKA: ALEX,  
Defendant.

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

MOTION REQUESTING COURT ORDER TO CORRECT PRE-SENTENCE REPORT

COMES NOW, Defendant ALEXANDER RODRIGUEZ MIRANDA, pro-se (herein after 'Defendant') and respectfully moves this Honorable Court in request for a Court order, directing the Sentencing Commission, Probation office for the District of Puerto Rico, to correct P.S.I. page 6; defendant states and prays as follows:

1. That on April 20, 1998, Probation Officer Ms. Miriam Figueroa prepared the Presentence Report in Case CR. 97-00098(HL).
2. That on page 6 of the P.S.I. @ 18 the comment:  
"The charge reads that on or about April 19, 1993, the defendant along with others, while at "Centro de Tratamiento Social para Jovenes de Ponce", caused aggravated damages to said property by provoking to a residence of said institution".  
is being used by the case Manager Mr. Newbould in this Federal facility, to deny defendant a lower custody level.

3. That on page 6 of the P.S.I. @ 20 the comment:

Criminal History Computation

"The total of criminal history points is 7. According to the sentencing table (Chapter 5 ,Part A), 7 to 9 criminal history points establish a criminal category of IV." (See, exhibit "A" & "B")

is also being used by the case manager Mr. Newbould in this Federal facility, to deny defendant a lower custody level.

4. That during the sentencing on June 23,1998, the Honorable Hector M. Laffitte, on page 4 of the Judgement and Commitment , states:

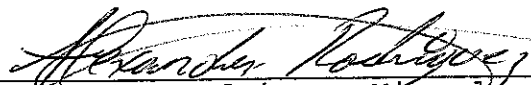
"However, the court will lower defendant's Criminal History Category from IV to II since it is overrepresented. Therefore, the guideline range is now from 188 to 235 months."

This statement by the Honorable Judge, clearly on the judgment order is above any decision by any B.O.P. staff, and to disregard this clear order by the B.O.P. is contrary to the Judgment and Commitment.

The U.S. Probation Office has never corrected this page 6 of the presentence report, and the B.O.P. uses the P.S.I. to deny a lower custody level because of the comments in the P.S.I. See ; exhibits "A"&"B". WHEREFORE, Defendant respectfully request this Honorable Court Issue a Court Order directing the U.S. Probation Office, Ms. Miriam Figueroa to correct page 6 of the P.S.I. and omit the comments @ 18 and correct the Criminal History Category from IV to II in conformity with the J&C Order, and that the U.S. Probation Office supply copy of the corrected page 6 @ 18 and @ 20; to the record office at this Federal Facility.

**RESPECTFULLY SUBMITTED,** This March 20, 2006, in Jesup, GA.

Signed under penalty of perjury, pursuant to 28 USC §1746.

  
Alexander Rodriguez Miranda  
14800-069 Unit A-4, Federal Satellite Low  
2650 Hwy 301 South  
Jesup, Georgia 31599

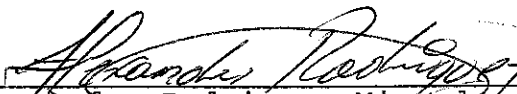
**CERTIFICATE OF SERVICE**

I hereby certify that on this same date March 20, 2006 I have served a true and correct copy of the Motion Requesting a Court Order to Correct Pre Sentence Report to:

AUSA, Aixa Maldonado-Quinones.  
U.S. Federal Building Room. 452  
150 Carlos Chardon Ave.  
Hato Rey, Puerto Rico 00918

U.S. Probation Office  
Ms. Miriam Figueroa U.S. Probation Officer.  
U.S. Federal Building  
Carlos Chardon Ave.  
Hato Rey, Puerto Rico 00918

This March 20, 2006.

  
\_\_\_\_\_  
Alexander Rodriguez Miranda  
14800-069 Unit A-4  
Federal Satellite Low  
2650 Hwy 301 South  
Jesup, Gorgia 31599